

OVER 300 ENTOMBED MINERS ARE BELIEVED TO BE DEAD

ESCAPE CUT OFF

Awful Disaster, Caused by an Explosion, in Coal Mine at Cherry, Ill.

RESCUERS ENTER THE SHAFT

See No Men, However, and Report Air is Exhausted—Little Hope Held Out That Any of the Miners Will be Found Alive—Mines Still on Fire and Smoke Plentiful.

Cherry, Ill., Nov. 15.—Before nightfall it seems probable that the fate of three hundred men entombed in the St. Paul mine will be known. This morning it was the plan of the state mining officials, who have taken charge of the mine since the fire on Saturday, to raise the cover of the hoisting shaft and lower rescuers to the third level, where, if alive, the men now 400 feet beneath the surface are waiting.

Late last night the air shaft, the only opening, besides the hoisting shaft, was hermetically sealed. This was done to smother the fire and make it possible for the rescuers to pierce the lower levels.

David Ross, secretary of the state labor commission, declared last night it was extremely improbable any one would be found living. Richard Newsum, president of the state mining board, said it would be a miracle if one man had been spared.

Rumors that a shot was heard beneath the surface and that rattling on pipes had been used to indicate the entombed miners were living, were this morning declared absurd.

R. R. Reid, a miner, who lives 500 feet south of the mine entrance and above one of the branches, is said to have heard or felt a shock resembling a revolver shot or an explosion. J. P. Buck, chief clerk of the St. Paul coal company, employed about the mine for thirty years, asserted no revolver shot could have been heard or felt upon the surface. Other officials declared the explosion of a stick of dynamite would be unlikely any way and that it would serve, if it occurred, to lessen the chances of the men surviving.

Though tests yesterday seemed to indicate the fire had burned out, smoke continued last night to issue from the air shaft until it was sealed, and as it found vent, smoke poured out of the hoisting shaft this morning as the covering was removed.

The coroner's inquest will be resumed today and it is expected something will be learned concerning the cause of the explosion and who was at blame.

The party of nurses from Chicago, who arrived last night, were today turned into comforters of families probably bereft. Throughout the hamlet were scattered cottages in various stages of completion. It seems likely many cottages never will be finished now.

Impossible to Reach Men.

Cherry, Ill., Nov. 15.—Several of the rescuing party, who went down this morning returned from the second level at 9:30 o'clock. They brought the report that the mine is caving in several places. They declared none of the entombed miners were near the landing and that it was impossible as yet to make exploration more than a few feet beyond the shaft entrance. The mine is still on fire and it is not known that more than 300 miners are inside.

Relief for Stricken Families.

Cherry, Ill., Nov. 15.—Officers of the local miner's union today notified President Lewis of the Mine Workers' Union, that 310 lives were lost in the mine disaster. Representative mine owners today declared the loss of life to be three hundred. Lewis has advised the local union that a \$5,000 contribution of the national body will immediately be placed at the disposal of the widows and orphans of the victims.

Every One Believed Dead.

Cherry, Ill., Nov. 15.—That not one man of the three hundred or more entombed in the mine will be taken out alive is practically the unanimous opinion of those on the scene. The rescuers made three descents this morning but no sign of life was seen and the rescuers declared that every bit of oxygen or life giving air is exhausted and no life could exist for hundreds of feet beyond the shaft entrance. A few miners' caps and lamps were seen—tragic tokens of the first mad rush for safety by miners who escaped, but no bodies were found. This indicated that when the miners realized they were penned hopelessly in the pit they rushed to the furthest end of the vein, where some air might be found that would keep them alive till help came.

Notwithstanding the report of the rescuers, State Mine Inspector Taylor expressed the opinion that a small supply of air still exists in the mine and there is a fighting chance for those within. But the miners who

WILL BRAND TUBERCULOSIS COWS IN STATE OF ILLINOIS

Under New Regulation All Bovines Must be Subjected to the Tuberculin Test and the Result Reported—Attempt to Stop Traffic in Diseased Cows Especially in Chicago.

Chicago, Nov. 15.—The new order of the health department, which provides for the branding of all tuberculosis cows in the state went into effect today, together with other important sanitary regulations, intended to put a stop to the traffic in such cows and the sale of milk from them in Chicago. Under the new regulation all cows must be subjected to the tuberculin test and the result, whether of a positive or of a negative character, reported to the state veterinarian for approval. All animals giving a positive reaction, showing that they are afflicted with tuberculosis, will be branded upon the right ear with the letter "T."

The local health department, which has been carrying on a vigorous war against the traffic in tubercular cows, has been largely instrumental in bringing about the adoption of energetic measures on the part of the state authorities. Beginning with today all inspection and test certificates must be approved by the state veterinarian, and these certificates will not be recognized and accepted by the local health department unless they are countersigned by the state official. It is expected that these stringent regulations will make the traffic in diseased cows practically impossible. Formerly many tubercular cows were sold to dairymen and the milk from these animals was sold to consumers in Chicago, notwithstanding the strenuous efforts of the local health authorities to prevent this dangerous practice.

TO DISCUSS CIVIC AFFAIRS.

Many Delegates at Cincinnati for Municipal League Meeting.

Cincinnati, O., Nov. 15.—Several hundred delegates, among whom are city officials and municipal authorities from all over the country, have assembled in Cincinnati to take part in the sixteenth annual meeting of the National Municipal league and the fifth annual meeting of the American Civic association. The joint gathering opens at the Stinton hotel tonight with addresses of welcome by Governor Harmon, Mayor Galvin and Elliott H. Pendleton, and addresses by Charles J. Bonaparte of Baltimore and J. Horace McFarland of Harrisburg, president of the Municipal league and the Civic association, respectively.

During the next three days there will be two sessions daily, at which papers will be read and discussions held on various phases of municipal activity, with a daily "round table conference" at the luncheon hour and a dinner to the members and delegates Wednesday evening. The conference on the prosecution of graft tomorrow morning, and the conference on franchise problems Thursday morning, are expected to bring out some interesting discussions. Other subjects to receive attention include the commission form of government, public health, direct nominations, municipal budgets and research, immigration, and the relation of the liquor question to municipal affairs.

Former President Eliot of Harvard university, who is an ardent advocate of the commission plan of government, is one of the foremost speakers on the program. Another prominent speaker will be Mrs. Philip N. Moore of St. Louis, president of the General Federation of Women's clubs.

CAIRO CONTINUES QUIET.

Cairo, Ill., Nov. 15.—Cairo continues quiet today. The local authorities have telegraphed to Governor Deneen, asking him to withdraw two of the three militia companies now on duty and to leave the patrolling of the city in the hands of the local company.

Inspected the opening deny this possibility.

Frantic protests to the state commission against sealing the mine last night was met today by the assertion of experienced miners that it was the only way to smother the fire and afford any hope of escape to the entombed men.

Bring Bodies Up Today.

Cherry, Ill., Nov. 15.—The bodies of the miners probably will be brought to surface this afternoon. Preparations have been made and the searching parties will be provided with oxygen helmets to guard against the smoke and will carry stretchers on which to bear the bodies to the shaft at the bottom. From there they will be hoisted to the top. The coal company will provide for the burial of the victims. President Farling today appointed a committee to arrange for the relief of the destitute. Thousands of people came to the mine this morning. Special trains bearing weeping relatives summoned by telegraph arrived at the station and heart-rending scenes were enacted as they met other relatives and were told the worst, which appears to be the only possible outcome of the disaster.

TURKEY DAY IS NAMED BY TAFT

Thanksgiving Proclamation is Issued From the State Department Today.

BLESSINGS ARE ACKNOWLEDGED

President Says We Have Been Highly Blessed During the Past Year—No Great Calamities Have Befallen Us and Bounteous Crops Have Been Supplied to All.

Washington, Nov. 15.—Thursday, Nov. 25, was today officially proclaimed by President Taft, as Thanksgiving day. The president's proclamation was issued as usual from the state department where it received the official seal of the United States.

The president says: "During this past year we have been highly blessed. No great calamities, or floods, or tempests, or epidemic of sickness have befallen us. We have lived in quietness, undisturbed by wars or rumors of wars. This year of peace and plenty, of bounteous crops and of great industrial production animate a cheerful and resolute people to all the renewed energies of beneficent industry and material and moral progress. It is altogether fitting that we should humbly and gratefully acknowledge the divine source of these blessings."

SOME SUCCESSFUL HUNTERS.

It is estimated that no less than 80 Calumet hunters spent Sunday in the Woods of Keweenaw county. As a result of the single day's hunt for deer eleven animals were shipped to Calumet on the last train in the evening, nine of that number being sent from Central and two from Phoenix.

WAVES TWENTY FEET HIGH.

The wind which prevailed throughout the copper country last evening whipped old Lake Superior into one of the heaviest seas of the season. Calumet residents who spent the day at Eagle River, report that the waves rose to a height of twenty feet, and presented a very interesting picture. A number of good pictures were taken of the sea just before sundown last evening.

ILLINOIS CENTRAL'S NEW LINE.

Chicago, Nov. 15.—The Illinois Central today inaugurated a new fast passenger service between this city and Jacksonville, Fla. The service provides for daily through trains, the route being over the Illinois Central to Birmingham, Ala., from there to Albany, Ga., over the Florida Central's new road, the Central Georgia, and from Albany to Jacksonville over the Atlantic Coast line.

MADAME STEINHEIL ACQUITTED.

Paris, Nov. 15.—Mme. Margherita Steinheil was acquitted by a jury at 1 o'clock yesterday morning of the charge of murdering her husband, a noted painter, and her stepmother. The verdict followed two and a half hours of deliberation.

The court room was a bedlam following the jurors' announcement. Men and women jumped and screamed for joy.

FANATIC'S WIFE ON TRIAL.

Kansas City, Mo., Nov. 15.—The case of Mrs. Melissa Sharp, wife of James H. Sharp—"Adam God"—the leader of the band of religious fanatics who instigated the street riot in this city last December, in which five persons were killed, was called for trial today. She is charged with murder in the first degree for the killing of Michael Mullane, a patrolman. Her husband, James Sharp, has been tried and convicted and is now serving a twenty-five years' sentence in the penitentiary.

SUGAR BEETS PAY WELL.

Value of This Season's Crop Estimated to Be \$10,000,000.

Saginaw, Nov. 15.—An idea of the size of the sugar beet industry in this state, and the amount of money that is paid out to farmers alone, can be gained from the statement that the monthly pay roll for October at the Carotown plant of the Michigan Sugar company was \$297,000.

There are, it is estimated, about fifteen sugar beet factories in the state. All of them do not have as big a payroll as the one in this county, but the Lansing, Owosso, Bay City, Sebawaing and several others have large ones. When it is considered that the September, November and December pay rolls will run well up in the thousands of dollars, it can be readily seen that \$10,000,000 is a near estimate for the sugar beet business in Michigan in 1909.

The quarterly meeting of the company held here last week declared dividends of 1 1/2 per cent. on preferred, and one per cent. on common stock.

Paul Shalts, Martin Suaterich and Joe Simionich left yesterday afternoon for a camp in the vicinity of Ishpeming, where they will spend a week hunting.

OCEAN DISASTER IN EAST INDIES

Colliding With British Ship Near Singapore Steamer Le-Seyne Sinks.

HUNDRED AND ONE DROWNED

No Time for a Panic, the Boat Going Down Within Two Minutes and Only 61 of Those on Board Escape—Survivors Have Narrow Escape From Shoals of Sharks—Many Bitten.

Singapore, Straits Settlement, Nov. 15.—One hundred and one persons were drowned yesterday when the mail steamer La Seyne of the Messageries Maritimes service, running between Java and Singapore, and on her way to this port, collided with the steamer Onda, of the British India line, and sank within two minutes.

The victims were seven European passengers, including the Baron and Baroness Beniczy, the captain of La Seyne, five European officers and eighty-eight others, comprising native passengers and members of the crew. The rescue of sixty-one persons, practically from the jaws of sharks, formed a thrilling incident of the wreck. Those rescued were saved in life boats from the Onda. Many were bitten by sharks.

The accident occurred in a thick haze. The vessels were steaming at good speed, and La Seyne was cut almost in half. There was no time for a panic or for any attempt on the part of the officers of the foundering steamer to get out the boats.

KILLS WOMAN WITH A RAZOR

Farm Hand is in Turn Killed by Victim's Husband Who is Fatally Wounded.

Vermillion, S. D., Nov. 15.—An unknown farm hand attacked Albert Nelson and wife with a razor in their home, twenty-five miles from Vermillion, today. He killed the woman, fatally wounded Nelson and was himself killed by the farmer. The man was hired Saturday night to husk corn and was taken into the Nelson home. During the night Nelson and wife were aroused by someone in the bedroom. The man began slashing at them with a razor. He succeeded in killing Mrs. Nelson and gashed Nelson fearfully. Before Nelson felt his neck the intruder with a club and killed him. Robbery was the supposed motive.

SECOND TRIAL OF CALHOUN.

San Francisco, Cal., Nov. 15.—The case of Patrick Calhoun, the street railway magnate whom District Attorney Heney declares is the "man higher up" in the alleged grafting operations of Abe Ruef and former Mayor Schmitz, was called for trial this morning in Judge Lawlor's court.

The specific charge against Calhoun is that of offering a bribe to Supervisor Fred Nicholas. This will be Calhoun's second trial. On the first trial the jury was unable to agree.

ILLINOIS ODD FELLOWS.

Springfield, Ill., Nov. 15.—Three thousand delegates and visitors are in Springfield for the annual sessions of the grand lodge I. O. O. F., the grand encampment and the Rebekah sisters. The gathering was opened today with a session of the grand lodge in the assembly chamber of the State capitol. In addition to choosing officers for the year the grand lodge will be called upon to decide the question of removing the state headquarters of the order from Springfield to some other city. Peoria is making an active campaign to secure the headquarters.

WONDERS OF ELECTRICITY.

Brilliant Electrical Show Opens in Mechanics' Building in Boston.

Boston, Mass., Nov. 15.—What is believed by many to be the most brilliant electrical display ever held on the continent opened in Mechanics' building today, to continue for ten days. Several hundred exhibits, representing every electrical device of note in the United States, occupy the gaily decorated booths. Included among the exhibits are the singing arc lamp, the rotary magnetic field, Prof. Thompson's wonderful multiphase motor, and an electric submarine launch. Among the many novelties outside the regular exhibits is a model electrical home and farm, showing a beautifully appointed suite of rooms and every known labor-saving device, a laundry and kitchen operated by electricity, and also showing the methods of milking cows and handling chickens by electricity.

LABOR LEADERS SCORE SALOONS

Attack Made Yesterday by Mitchell, Lennon and Lewis Makes Trouble.

LIQUOR MEN ARE UP IN ARMS

Representatives of Brewery Workers, Bartenders and Cigar Makers Are Stirred Up as Result of Temperance Meeting in Toronto and Threaten to Have Something to Say.

Toronto, Can., Nov. 15.—A vigorous attack upon the saloon was opened yesterday's big temperance meeting by Vice President John Mitchell and Treasurer Lennon of the American Federation of Labor and President Lewis of the United Mine Workers, was the subject of much quiet discussion today among delegates to the American Federation of Labor. The meeting has stirred up representatives of the brewery workers, bartenders and cigar makers and there is a possibility they may have something to say later in the convention.

The American Federation of Labor today adopted a resolution presented by Vice President Mitchell, extending sympathy to the families and dependents of the victims of the mine disaster at Cherry, Ill.

LABOR LEADERS' CASE.

Washington, Nov. 15.—Application was made to the district court of appeals by counsel for Gompers, Mitchell and Morrison, labor leaders, to stay the issuance of the mandate to the supreme court of the District of Columbia until Jan. 2, 1910. The court took the application under consideration.

METROPOLITAN OPERA HOUSE.

What Promises to Be a Brilliant Season Will Open Tonight.

New York, Nov. 15.—What promises to be the most brilliant season in many years opens at the Metropolitan opera house tonight. The opera selected for the opening night is Ponchielli's "La Gioconda," a charming work, the beauty and effectiveness of which will undoubtedly be enhanced by the excellent cast. Mme. Meltschik, one of the new acquisitions, will make her American debut on this occasion in an important part. The cast will also include Mesdames Destinn and Honer and M. Caruso, Amato and De Segura. On Wednesday evening Verdi's "Otello" will be given, in which Leo Slezak, the Bohemian tenor will make his American debut. Thursday evening Mme. Lipkowska will introduce herself in Verdi's "Traviata" and on Saturday afternoon, John Forsell, the baritone, will make his first appearance in Wagner's "Lohengrin."

The list of singers engaged for the season opening tonight, is the longest ever known at the Metropolitan and includes 21 sopranos, 15 contraltos, 19 tenors, 15 baritones and 11 basses. Arturo Toscanini and Alfred Hertz are to divide between them the work of conducting. The chorus consists of a total of 250 voices, including the seventy pupils of the chorus school conducted in connection with the opera house. A ballet corps of sixty members will be one of the features of the season.

FIRE IN THE POSTOFFICE.

Small Blaze Late Yesterday Afternoon Quickly Put Out.

A fire was discovered in the rear of the sorting room of the Calumet post-office about 5:30 o'clock yesterday afternoon. The Red Jacket fire department promptly responded, and the blaze was quickly extinguished. Little damage was done.

It is believed that the fire was caused by friction through the operation of the electric motor used in stamping the mail sent out and received here. The janitor of the building noticed the smoke issuing from the rear of the building, and immediately turned in an alarm. In the meantime he helped smother the blaze. Fortunately the fire was discovered in its early stages.

NO CAR SHORTAGE.

Railroad Officials Declare That Present Facilities Are Adequate.

Danger of a car shortage, imminent a few weeks ago, has entirely passed, according to prominent railway officials. Nearly all the roads centering in Chicago are taking means to allay the apprehension which shippers feel everywhere with respect to the car situation.

Despite the fact that the Northwestern road, for example, handled 100,000 more loaded cars during the month of October than during the corresponding month of last year, this road is not experiencing a shortage of cars or of power.

In connection with the passage of the car shortage danger railroad men declare shippers and receivers of freight are entitled to a large part of the credit. In former times shippers and receivers failed to increase their facilities commensurate with the increase in their business, with the result that railroad cars, whole trains of them, were used as storage warehouses.

This condition has largely passed

SUPREME COURT OF THE U. S. SENDS SIX MEN TO PRISON

PRESIDENT TAFT OPENS THE BIG APPLE SHOW AT SPOKANE

Presses an Electric Button at Washington, Marking the Formal Opening of Novel Exhibition—Prizes Amounting to \$25,000 Will be Awarded the Successful Contestants.

Spokane, Wash., Nov. 15.—The second national apple show was opened here this morning with auspicious success. President Taft, at exactly ten o'clock Pacific time, touched an electric button in Washington, flashing the signal for the opening of the exposition across the continent. President Howard Elliott, of the Northern Pacific, who is also president of the Apple show, delivered a brief address at the formal opening of the exposition. The show is the largest and most remarkable of its kind ever held in this country and it is expected that during the week many thousands of fruit fanciers, pomologists and dealers will visit the show, which will close on Saturday evening.

The show occupies the building of the Washington state armory, a three-story building with about 100,000 square feet of floor-space and an enormous tent, 235 by 399 feet, which is provided with steam heat. Prizes amounting to a total of \$25,000 will be awarded. The chief prize of \$15,000 will be awarded in the carload class. This calls for 630 boxes or 210 barrels of commercial winter apples of one or more standard varieties. There will also be carload competitions on twelve varieties, contests in barrels, box pyramid, basket, jar and plate displays, in addition to special contests for medals and diplomas.

Apples of every known variety, from the New England states, the middle west and the enormous fruit districts west of the Rockies, are on exhibition and the show is far superior in every respect to the first one, held in December of last year. The total number of specimens is estimated at two millions.

NATIONAL FRUIT SHOW OPENS.

Council Bluffs, Ia., Nov. 15.—The mammoth fruit show in conjunction with the meeting of the National Horticultural congress, for which preparations have been making for nearly a year, opened in this city today under most promising auspices. The exhibition comprises a magnificent display of the choicest products of the orchard and garden, representing nearly every state and territory of the Union and various sections of Canada and Mexico.

MONUMENT IS DEDICATED.

Shaft to Bay State Soldiers Unveiled at Baton Rouge.

Baton Rouge, La., Nov. 15.—In the presence of a representative assembly including veterans of both the Union and Confederate armies, a monument commemorating the valor of the soldiers of Massachusetts who are buried in the Baton Rouge national cemetery was dedicated today.

Governor Draper of Massachusetts and his staff and a delegation of citizens who served in Massachusetts regiments during the war were present. Governor Sanders of Louisiana and Mayor Bynum of Baton Rouge delivered addresses of welcome. Rev. T. M. Hunter offered prayer, and Gen. Charles H. Taylor of Boston delivered the oration. The memorial was accepted by Capt. A. D. King, superintendent of the national cemetery. Miss Lena Remington of Somerville, Mass., and Miss Sallie Sanders of Baton Rouge unveiled the shaft. "America" and other patriotic songs sung by school children enlivened the program.

The monument, which is the first to be erected by any state in memory of their dead in the Baton Rouge cemetery, was erected under a provision of the Massachusetts legislature. The memorial is of Quincy granite and stands over 40 feet high.

CATHOLICS WOULD PLAY.

Notre Dame is Willing to Play Minnesota for Championship.

If the Marquette game on Thanksgiving should be won by Notre Dame the gold and blue will put in a claim for the western championship and a game with Minnesota, in case it conquers Michigan and Wisconsin, would be welcomed by the Indiana team, which, barring accidents, should be in excellent condition for a post-season championship game.

The Notre Dame squad is small, however, and an accident to any of the men would be a serious handicap, as in the absence of individual stars she depends on team work to win.

away, and the railroads are enabled to handle fully 25 per cent. more business with the same equipment than formerly.

New locomotives ordered by the Northwestern some time ago for the expected increased business are being received. Twenty engines have arrived and the remainder of the order of eighty will soon be on hand. Of these, forty are consolidated freight, twenty-five Pacific passenger type and fifteen heavy switch engines.

AN UNUSUAL CASE

Ex-Sheriff Shipp of Chattanooga and Five Others Convicted of Contempt.

ECHO OF SOUTHERN LYCHING

Defendants, Who Were Found Guilty of Complicity in Execution of Ed. Johnson, Colored, Sentenced to Imprisonment, Three Getting Ninety Days and Three Sixty Days.

Washington, Nov. 15.—Ninety days' imprisonment was imposed today upon ex-Sheriff Shipp of Chattanooga, Tenn., by the supreme court of the U. S., for contempt of court in failing to prevent the lynching of a negro, Ed. Johnson, convicted of criminal assault, but whose execution had been stayed by the court. Williams and Nolan were sentenced to ninety days; and Gibson and Padgett and Mayes to sixty days for contempt.

Heading the little group of six men found guilty of contempt, as they took their places before the black-robed justices, was Captain Joseph H. Shipp, the sheriff in Chattanooga, Tenn., when he offended the court. His tall, straight figure, his seamed face and his gray-streaked beard, told of his long service in the army of the Confederacy. Bowed down under his 76 years, Jeremiah Gibson, the jailer, stood with him. With bedimmed eyes he looked upon the long white locks of the Chief Justice, himself 76 years of age, who would soon pronounce sentence upon him, perhaps send him to prison. He and Captain Shipp had been found guilty of failing to protect a negro, waiting to be hanged on a charge of a heinous crime against a white woman, after the Supreme Court of the United States had stayed his execution.

Luther Williams, Nick Nolan, Henry Padgett and William Mayes, residents of Chattanooga, found guilty of participation in the lynching of Ed. Johnson, formed the rest of the group. Before them all sat the officials of the Department of Justice. Around about them in the little court room were their attorneys and lawyers, while the three rows of seats for spectators were crowded.

The proceedings were practically without precedent. In 1875 John Chiles, a business man of Texas, was brought before the court for contempt in connection with dealings in Texas indemnity bonds, contrary to an order of the supreme court. He was fined \$250. But that instance lacked the interest of the case today. In it was involved no race question, no lynching, no interference with state jurisdiction; only the majesty of the law as interpreted by the highest court of the land.

The case today originated in the court's decision in March, 1906, to consider the appeal of Johnson, from a verdict of the Tennessee courts holding him guilty and sentencing him to be hanged on a charge of assault. The night after the review of the proceedings was held at Chattanooga, a mob stormed the jail, took the prisoner out and lynched him.

The Court was much incensed by the lynching, and at its instance the Attorney-General instituted proceedings against Sheriff Shipp, Jailer Gibson and twenty-five others supposed to have been implicated in the lynching, charging them with contempt. Many of the accused were exonerated, and in the end only six were found guilty. The finding of the court was announced in May, just before the close of the last term of court, but all the defendants entered motions of rehearing, which had the effect of postponing action until this fall. On Nov. 1 rehearing was denied and the six men ordered before the court for sentence today.

In investigating the case, the Supreme Court found that Johnson was removed from Chattanooga to Nashville before his trial, because of fear that he would be lynched. He was brought back for the legal execution. When the Supreme Court stayed the execution, the court has held, Shipp made no effort and gave no orders to have the deputies or others guard the jail, but left the night jailer, Gibson, there alone. That evening a white male prisoner was removed from the upper floor of the jail, leaving only Johnson and a white woman on that floor. The court pointed out that this same man had been removed in the same way at the time of the first attempt to lynch Johnson, which had been frustrated by the removal of the negro.

Shipp lived only a few blocks from the jail and when he was notified by the trial judge and the prosecuting attorney that a mob was at the jail, went there alone. Although for an hour in the midst of or near the mob, the court held he did not seek to obtain information so that he could identify any of its members.

The court in finding Shipp guilty commented on a published interview Continued on Page 5.